

FINAL AGENDA

EQC Agency Oversight Subcommittee
Room 172, State Capitol
Thursday, January 26, 2006, 8:00 a.m. to 6:30 p.m.

NOTE: AGENDA ITEM TIMES ARE APPROXIMATE SOME ITEMS MAY TAKE MORE OR LESS TIME THAN IS ALLOTTED.

- 8:00 a.m. **Call to Order** -- Rep. Harris, Co-Chair
- 8:05 a.m. **Legislative Finance Committee Resource Indemnity Trust Subcommittee Update** -- Barb Smith, LFC Staff
- 8:15 a.m. **DEQ Enforcement/Permitting Issues**
* Thompson Falls Power Plant Air Quality Issues Update - DEQ Staff
* Holcim Air Quality Permit Update - DEQ Staff
- 8:45 a.m. **DFWP Financial Compliance Audit Overview**
* Legislative Audit Staff - Vickie Rauser
* DFWP Staff
- 9:45 a.m. **Environmental Protection Agency** - John Wardell
* Lone Moose Meadows Wetland Enforcement Issues Update
* HJR 34 Information
- 10:05 a.m. **University of Montana Proposal to Assist the Subcommittee on HJR 34 Study Research** - Professor Robin Saha
- 10:20 a.m. **HJR 34 Study - Bozeman Solvent Site Panel**
* Kate Fry, DEQ Project Officer (20 minutes)
* Doug Kasefang, Director of Environmental Affairs, Albertsons (15 minutes)
* Esther Nelson, Bozeman Solvent Site Citizen's Group (15 minutes)
* Phillip Forbes, City of Bozeman representative (15 minutes)
* Mike Ellerd, Joint Consultant for the City of Bozeman and Jewel (15 minutes)
* Scott Compton, Regional Manager, DNRC (15 minutes)
* Public Comment
- 12:20 p.m. **Public Comment** on any matter not contained in this agenda and that is within the jurisdiction of the EQC Agency Oversight Subcommittee
- 12:30 p.m. **Lunch**
- 1:00 p.m. **HJR 34 Study - Livingston/Burlington Northern Panel**
* Jarrett Keck, DEQ Project Officer and Denise Martin, DEQ Section Supervisor (20 minutes)

- * John Norris, BNSF Environmental Consultant (15 minutes)
- * Dave Smith, BNSF Railway Company (15 minutes)
- * Clint Tinsley, Director of Public Works, Livingston (15 minutes)
- * Jim Barrett, PCEC Executive Director (15 minutes)
- * Mandy Cunningham, Former DEQ Project Manager (15 minutes)
- * Public Comment

3:00 p.m. **Break**

3:10 p.m. **HJR 34 Study - Brewery Flats Panel**

- * David Bowers, DEQ Project Officer (20 minutes)
- * Duane Ferdinand, Planning Director, City of Lewistown (15 minutes)
- * Ted Hawn, Big Spring Creek Watershed Partnership (15 minutes)
- * Chris Reynolds, Environmental Consultant for City of Lewistown (15 minutes)
- * Public Comment

5:10 p.m. **Agency Rule Review**

- * Update on BER Proposed Hard Rock Mining Administrative Rule Amendments Pertaining to Operating Permit Application Requirements - Richard Oppen, Director of DEQ
- * Update on BER Proposed Coal Bed Methane Administrative Rule Amendments - Richard Oppen, Director of DEQ
- * Public Comment

5:45 p.m. **Review of significant Natural Resource and Environmental State Court Cases**

5:55 p.m. **Overview of Kelo v. City of New London U.S. Supreme Court Case and the Impact on Eminent Domain Law in Montana -- Todd Everts, Staff**

6:10 p.m. **MEPA Handbook/Permit Index Review and Approval for Publication -- Todd Everts, Staff**

6:25 p.m. **Instructions to Staff/Next Subcommittee Meeting**

6:30 p.m. **Adjourn**

Information Notes: copies of staff memorandums, agendas, minutes, and the Agency Oversight Subcommittee Work Plan can be found at the following web site address:

http://www.leg.mt.gov/css/lepo/2005_2006/subcommittees/agency_oversight/default.asp